

MENKEN SIMPSON & ROZGER LLP

80 PINE STREET, 33RD FLOOR  
NEW YORK, NEW YORK 10005

TELEPHONE: (212) 509-1616  
FACSIMILE: (212) 509-8088  
WWW.NYEMPLOYEELAW.COM

BRUCE E. MENKEN  
SCOTT SIMPSON  
JASON J. ROZGER ▲  
BRENNNA RABINOWITZ  
RAYA F. SAKSOUK

▲ ALSO ADMITTED NJ  
ALAN SERRINS  
OF COUNSEL

October 11, 2023

**Via ECF**

Hon. Joan M. Azrack, U.S.D.J.  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, NY 11722

Re: *Agudelo v. Recovco Mortgage Management LLC et al.*, No. 22 Civ. 4004

Dear Judge Azrack:

On behalf of all parties and as ordered by Your Honor on October 6, 2023, I write to provide a status report on the parties' position on their pending motion for preliminary approval.

Counsel have recently been in communication concerning possible proposed next steps. They have also been following the relevant bankruptcy court docket, *In re: Sprout Mortgage LLC*, Case No. 23-72433 (REG), which has been active. Among other things, that court is considering whether to approve the appointment of a Chapter 7 trustee or convert the case to a Chapter 11 in which a new trustee or a chief restructuring officer will be appointed. My firm has also recently retained a bankruptcy attorney to consult with and a meeting is planned in the next few days to determine the most appropriate next step to take to protect the rights of the putative class of former employees Plaintiffs seek to certify as a class.

Based on the above, the parties ask the court's permission to extend their time to provide a more substantive status report until Monday October 16, 2023.

Respectfully submitted,

*/s/ Bruce E. Menken*  
Bruce E. Menken

cc: All counsel (by ECF)